

## **Remarks**

This RESPONSE is in reply to the Office Action mailed July 13, 2006.

### **I. Summary of Examiner's Rejections and Objections**

Prior to the Office Action mailed July 13, 2006, Claims 1-39 were pending in the Application. In the Office Action, Claim 30 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 4, 13, 19-21, 28 and 34 were rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. Claims 1, 5, 8, 9, 12, 14, 17, 18, 26, 27, 30, 31, and 35 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Claims 1-39 were rejected under 35 U.S.C. § 102 as being unpatentable over Shutt et al., (U.S. Patent No. 7,058,958 hereafter Shutt). The Drawings were objected to as failing to comply with 37 C.F.R. 1.84(p)(5). The form of the Abstract was objected to.

### **II. Summary of Applicant's Amendments**

The present Response cancels Claims 1-9, 11-12, 14, 27, 32-33, and 35, and amends Claims 10, 13, 15-20, 22-26, 29-31, 34, and 38-39, leaving for the Examiner's present consideration Claims 10, 13, 15-26, 28-31, 34, and 36-39. Reconsideration of the application as amended is respectfully requested. Applicants respectfully reserve the right to prosecute any originally presented or canceled claims in a continuing or future application.

### **III. Drawings and the Specification**

In the Office Action mailed July 13, 2006, the Drawings were objected to as failing to comply with 37 C.F.R. 1.84(p)(5) because the Drawings included the following reference character(s) not mentioned in the description: Figure 3, item 300 and 312; Figure 8, item 800; Figure 9, item 900; Figure 10, item 1000; and Figure 11, item 102 (SPI). Accordingly, the Specification has been amended to add the above reference characters to the description. Applicant submits that no new matter is being added and reconsideration thereof is respectfully requested.

### **IV. Abstract**

In the Office Action mailed July 13, 2006, the form of the Abstract was objected to. Accordingly, the Abstract has been amended, and reconsideration thereof is respectfully requested.

**V. Claim Rejections under 35 U.S.C. § 101**

In the Office Action mailed July 13, 2006, Claim 30 was rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. Claim 30 has been amended and it is respectfully submitted that Claim 30, as amended, now complies with 35 U.S.C. § 101, and reconsideration thereof is respectfully requested.

**VI. Claim Rejections under 35 U.S.C. § 112**

In the Office Action mailed July 13, 2006, Claims 4, 13, 19-21, 28, and 34 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Office Action states that these claims recite "set of services", which is not described in the Applicant's disclosure.

Claims 1, 5, 8, 9, 12, 14, 17, 18, 26, 27, 30, 31, and 35 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite as failing to point out what is included or excluded by the claim language. The Office Action states that these claims are an omnibus type claim.

**Claims 13, 19-21, 28, and 34**

Paragraph [0034] of the specification states that "content repositories that implement the SPI can 'plug into' the VCR. The SPI includes a set of interfaces and services that repositories can implement and extend including schema management, hierarchy operations and CRUD operation." Paragraph [0064] of the specification states that "filter processes can interact with the CMS via an API or some other suitable mechanism. The API can include services for allowing the CMS to direct a filter process to extract properties from the content (or provides references/links to the content properties)." Therefore it is respectfully submitted that the specification does provide support for what is being claimed in Claim 13, 19-21, 28, and 34. These claims have also been amended as shown above, and it is respectfully submitted that the claims, as amended, do comply with the written description requirement of 35 U.S.C. § 112, first paragraph. Reconsideration thereof is respectfully requested.

**Claims 17, 18, 26, 30, and 31**

Claims 17, 18, 26, 30, and 31 have been amended as shown above, and it is respectfully submitted that these claims, as amended, now comply with 35 U.S.C. § 112, second paragraph, and reconsideration thereof is respectfully requested.

**Claims 1, 4, 5, 8, 9, 12, 14, 27, and 35**

Claims 1, 4, 5, 8, 9, 12, 14, 27, and 35 have been canceled, rendering moot the rejection of these claims.

**VII. Claim Rejections under 35 U.S.C. § 102**

Claims 1-39 were rejected under 35 U.S.C. § 102(e) as being anticipated by Shutt et al., (U.S. Patent No. 7,058,958 hereafter Shutt).

**Claim 10**

Claim 10 has been amended by the present Response to more clearly define the embodiment therein. As amended, Claim 10 defines:

*10. (Currently Amended) A method for transferring content to a plurality of content repositories, comprising:*  
*identifying a content in at least one of a file system and a website by traversing the at least one of a file system and a website;*  
*associating a schema with the content; and*  
*communicating with a virtual content repository (VCR) via an Application Programming Interface (API) to provide the content and the schema to the VCR;*  
*wherein the VCR integrates a plurality of content repositories into a logical content repository and transfers the content and the schema to the one or more content repositories; and*  
*wherein the API presents a unified view of the plurality of content repositories as a single repository.*

Claim 10 has been amended to more clearly define the embodiment as a method for transferring content to one or more content repositories comprising identifying a content in a file system and/or website by traversing a file system and/or website, associating the identified content with a schema, and communicating with a virtual content repository via an API to provide the content and schema to the VCR. The VCR integrates the content repositories into a logical content repository and transfers the content and schema to the content repositories, while the API presents a unified view of the content repositories as a single repository. Applicant respectfully submits that these features are not disclosed or suggested by the cited references.

The advantages of the embodiment defined by Claim 10 include that a virtual content repository is used to integrate one or more content repositories into a logical repository. Furthermore, an API is used to present a unified view of the plurality of content repositories as a single repository.

Shutt discloses a system and method for retrieving data residing on multiple servers, where replicas of data may reside on multiple servers, via a client programming model (col. 7, line 63 to col. 9, line 45). In Shutt, a client application first sends a request for data to a client programming model (col. 7, line 67 to col. 8, line 3). The client programming model retrieves configuration information for the servers, creates local private data structures reflecting the logical to physical mapping of the data location and the association between replicas of data, and returns a handle to the client application, which then invokes a method on that handle to request the client programming model to access data (col. 8, lines 4-24). In making the request to access data, the client application indicates the level of consistency and freshness of data that is desired, along with indicating the logical data location (col. 8, lines 24-30). After receiving the request from the client application, the client programming model consults its private data structures to map the logical location to a physical location, and to determine which copies of data are candidates to satisfy the consistency required by the request (col. 8, lines 31-36). The client programming model then passes a request to a server it has determined it wants to retrieve the data from, receives the data requested from the server, and passes the data back to the client application (col. 9, lines 4-45).

It appears from the above description that Shutt only discloses a system and method for retrieving data from data servers but does not disclose any systems or methods for transferring content to one or more content repositories. In contrast, the embodiment defined by Claim 10 defines systems and methods for transferring content to content repositories.

Furthermore, in the Office Action mailed July 13, 2006, it was submitted that the private data structures in the client programming model disclosed in Shutt was the same as the schema defined by Claim 10. Claim 10 has been amended to more clearly define that a schema is provided to the virtual content repository along with a content, and that the virtual content repository transfers the schema and the content to the plurality of content repositories. It is respectfully submitted that Shutt does not disclose providing both a content and a schema to a virtual content repository nor does Shutt disclose a virtual content repository that transfers the content and the schema to a plurality of content repositories.

In the Office Action, it was also submitted that both the request for data and the data in Shutt anticipated the content defined in Claim 10. The Office Action stated "the first content is a request for data or a request for a particular partition," but later states "contained in the data structures are data, which are contents." It is respectfully submitted that the these two terms are different. Claim 10 has also been amended to more clearly define that a content in a file system and/or website is identified by traversing a file system and/or website. It is respectfully submitted that Shutt does not disclose identifying a content in at least one of a file system and a website by traversing the at least one of a file system and a website.

In view of the comments provided above, Applicant respectfully submits that the embodiment defined in Claim 10 is not anticipated by, nor obvious in view of, the cited reference, and reconsideration thereof is respectfully requested.

#### **Claims 19 and 29-31**

The comments provided above with respect to Claim 10 are hereby incorporated by reference. For similar reasons as provided above with respect to Claim 10, Applicant respectfully submits that Claims 19 and 29-31 are likewise not anticipated by the cited reference, and reconsideration thereof is respectfully requested.

#### **Claims 13, 15-18, 20-26, 28, 34, and 36-39**

Claims 13, 15-18, 20-26, 28, 34, and 36-39 are not addressed separately but it is respectfully submitted that these claims are allowable as depending from an allowable independent claim and further in view of the comments provided above. Applicant respectfully submits that Claims 13, 15-18, 20-26, 28, 34, and 36-39 are similarly not anticipated by the cited reference, and reconsideration thereof is respectfully requested. It is also respectfully submitted that these claims also add their own limitations which render them patentable in their own right. Applicant respectfully reserves the right to argue these limitations should it become necessary in the future.

#### **Claim 1-9, 11-12, 14, 27, 32-33, and 35**

Claims 1-9, 11-12, 14, 27, 32-33, and 35 have been canceled, rendering moot the rejection of these claims. Reconsideration of the application, as amended, is respectfully requested.

#### **VIII. Conclusion**

In view of the above amendments and remarks, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration thereof is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

Enclosed is a PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136 for extending the time to respond up to and including December 13, 2006.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response which may be required.

Respectfully submitted,

Date: 12/13/06

By: /Guanyao Cheng/  
Guanyao Cheng  
Reg. No. 58,555

Customer No. 23910  
FLIESLER MEYER LLP  
650 California Street, 14<sup>th</sup> Floor  
San Francisco, California 94108  
Telephone: (415) 362-3800 x227  
Facsimile: (415) 362-2928